

1642
Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/266,543 Confirmation No. 5968
Applicant : Holaday et al.
Filed : March 11, 1999
TC/A.U. : 1642
Examiner : Christophe H. Yaen

Docket No. : 05213-0075 (43170-219382)
Customer No. : 23370

For : Compositions and Methods for Treating Cancer
and Hyperproliferative Disorders

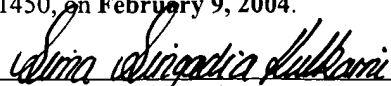
**SUBMISSION OF SUBSTITUTE DECLARATIONS AND
STATEMENT OF LACK OF DECEPTIVE INTENT**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

Pursuant to the Petition to Correct Inventorship filed with the PTO on January 5, 2004, enclosed herewith are the Declarations and Powers of Attorney for all inventors. Also enclosed is a Statement of Lack of Deceptive Intent executed by Stacy M. Plum. Applicants are enclosing a copy of the Petition to Correct Inventorship pursuant to the requirements of 37 C.F.R. §1.48(a) for your reference.


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 9, 2004.


Sima Singadia Kulkarni – Reg. No. 43,732

Conclusion

If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 745-2463 is respectfully solicited.

Respectfully submitted,



Sima Singadia Kulkarni
Registration No. 43,732

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree St.
Atlanta, GA 30309-2463
Telephone: (404) 745-2463
Our File: 05213-0075 (43170-219382)



Attorney Docket No.: 05213-0075 (43170-219382)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Holaday *et al.*)
)
Serial No. 09/266,543) Group Art Unit: 1642
)
Filed: March 11, 1999) Examiner: C.H. Yaen
)
For: Compositions and Methods for Treating)
Cancer and Hyperproliferative Disorders)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF A LACK OF DECEPTIVE INTENT

Sir:

I, Stacy M. Plum, hereby declare that I was inadvertently not named as an inventor in the above-identified application, 09/266,543, when it was filed March 11, 1999. I have reviewed the specification and claims of the application and have determined that I did have a role in developing the invention that is now being claimed in the above-identified application.

I further declare that this error was made without any deceptive intent and understand and have been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001) and may jeopardize the validity of the application or any patent issuing thereon. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

Date: 1/20/04

Stacy M. Plum
Stacy M. Plum



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Holaday, et al.

Serial No. 09/266,543

Filed: March 11, 1999

For: Compositions and Methods for Treating
Cancer and Hyperproliferative Disorders

Art Unit: 1642

Examiner: C.H. Yaen

PETITION FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record in the patent application identified above hereby petitions to correct an error of inventorship in an executed § 1.63 declaration in the above-referenced application. The error arose without any deceptive intention on the part of the persons who were named as inventors and the person who, through error, was not named as an inventor. The inventor who was not named, and who applicants request be added, is Stacy M. Plum. Once this petition is granted, the inventors in this application will be John W. Holaday, Antonio Ruiz, John Madsen, and Stacy M. Plum. Applicants hereby request that the order of the inventors in this application be as shown above, and that if this application issues as a patent, the patent be referred to as the Holaday et al. patent.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 5, 2004.

Sima Singadia Kulkarni
Sima Singadia Kulkarni - Reg. No. 43,732

A check in the amount of \$130.00 for the processing fee set forth in § 1.17(i) is included herewith. Pursuant to the requirements of §§ 1.48(a)(1) through (a)(5), applicants will provide a statement by Stacy M. Plum that the error in inventorship occurred without any deceptive intention on her part together with a declaration by all of the actual inventors as required by § 1.63, (or as permitted by §§ 1.42, 1.43 or 1.47) following this submission.

No other fees are believed due; however, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,



Sima Singadia Kulkarni

Reg. No. 43,732

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
Attorney Docket No. 05213-0075 (43170-219382)